

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION

ANDREW LEE STUBBLEFIELD §
VS. § CIVIL ACTION NO. 5:10cv236
DIRECTOR, TDCJ-CID §

MEMORANDUM OPINION REGARDING VENUE

Petitioner Andrew Lee Stubblefield, an inmate confined in the Telford Unit of the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se*, filed this petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254.

Discussion

Petitioner is challenging a 2009 conviction for aggravated robbery in the 258th District Court of Polk County, Texas. As a result of the conviction he was sentenced to 40 years imprisonment.

Petitioner filed this petition for writ of habeas corpus in the district and division in which he is incarcerated. Pursuant to 28 U.S.C. § 2241(d), a petitioner may bring his petition for writ of habeas corpus in the district in which he was convicted or the district in which he is incarcerated.

As stated above, petitioner was convicted in Polk County, Texas. Pursuant to 28 U.S.C. § 124, Polk County is located in the Eastern District of Texas. However, Polk County is located in the Lufkin Division, rather than the Texarkana Division of this court. As all records and witnesses involving this action

may be located in the Lufkin Division of this court, the transfer of this action to such division would further justice.

Accordingly, this case should be transferred to the Lufkin Division of this court. A Transfer Order shall be entered in accordance with this Memorandum Opinion.

SIGNED this 12th day of January, 2011.


CAROLINE M. CRAVEN
UNITED STATES MAGISTRATE JUDGE